

REMARKS

Claims 1 and 6 have been canceled, and Claims 2-5, 7-17 and 27 have been amended. In view of the foregoing amendments, and the remarks that follow, Applicants respectfully request reconsideration.

Comment Regarding Power of Attorney

The Power of Attorney for this application does not happen to identify the undersigned attorney. Consequently, in filing this Amendment, the undersigned is acting under the provisions of 37 C.F.R. §1.34.

Interview Summary

Following receipt of the Advisory Action mailed on August 23, 2006, the undersigned telephoned Examiner Quash to request a telephone interview involving Examiner Quash and also Supervisory Primary Examiner (SPE) Wells. This telephone interview was held on August 30, 2006, involving Examiner Quash and SPE Wells on behalf of the U.S. Patent Office, and involving Mr. Philip Marriott of Thermo Electron Corporation, European Patent Attorney Alex Frost of Boult Wade Tennant, and the undersigned on behalf of the Applicant. Mr. Marriott explained why the pending independent claims were believed to be distinct from the prior art, and the central thrust of his comments corresponded to arguments presented in the remarks of Applicant's last Response. No agreement was reached as to the allowability of any claim. Instead, Examiners Quash and Wells suggested that independent Claim 15 be amended to emphasize that ions traveling to the measurement cell experience a pressure change. Further, with respect to Claims 16 and 27, Examiners Quash and Wells suggested using different claim language to recite the location of the ion deceleration structure in relation to the measurement cell. It was agreed that Applicant would propose for further consideration some possible claim amendments intended to comply with the suggestions offered by Examiners Quash and Wells in the interview.

Thereafter, Applicant proposed the claim amendments that are implemented above by this Response. In about this same time frame, Examiner Quash left employment with the U.S. Patent Office, and SPE Wells assumed primary responsibility for examination of the present application. The undersigned had further telephone interviews with Examiner Wells on November 13 and 14, 2006. With respect to independent Claim 15, the undersigned discussed with SPE Wells the added language calling for "the measurement cell being arranged to be maintained at a pressure lower than that of the ion storage device". With respect to independent Claims 16 and 27, the undersigned explained that if a person skilled in the art was not aware of Applicant's invention, the person would not be motivated by Meek U.S. Patent No. 4,686,365 to carry out deceleration in a region immediately adjacent to the measurement cell. Instead, the person would think that Meek does not want to restrict the pumping of the cell region by having deceleration structure immediately adjacent to it, especially if the deceleration structure includes ion guides, because Meek teaches that this would restrict the pumping conductance (column 3 lines 3-23). The person skilled in the art will think that he only needs to decelerate the ions once they have passed through the fringing field, so as to overcome the magnetic reflection phenomenon (column 4 lines 1-11).

In the interview on November 14, 2006, it was agreed that the claims would all be allowable if Applicant formally implemented the claim changes that Applicant had proposed during the interview process. It was also agreed that Applicant would file this Response in order to formally implement those claim changes. After entry of this Response, the claims pending in this application are all claims that Examiner Wells has indicated to be allowable.

Conclusion

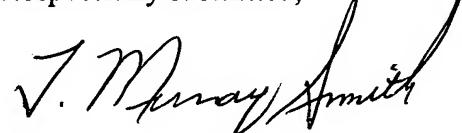
During the telephone interviews, Examiner Wells indicated that the currently-pending claims are all patentable over the prior art. Accordingly, it is respectfully submitted that entry of

Appl. No. 10/796,645
Reply to Advisory Action of August 23, 2006

Attorney Docket No. 26114.13
Customer No. 27683

the foregoing claim amendments places this application in condition for allowance, and it is respectfully requested that this application be promptly allowed and passed to issue.

Respectfully submitted,



T. Murray Smith
Registration No. 30,222
(972) 739-8647

Date: November 14, 2006

HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: (972) 739-6900
Facsimile: (214) 200-0853
File: 26114.13

Enclosures: Petition for Two-Month Time Extension
Check (\$450.00)
Acknowledgement Post Card

R-151257.1